

CITY OF HOLLISTER - AGENDA

for **City Council Meeting**

of **September 19, 2005**

at **6:30 p.m.** in the City Council Chambers, City Hall, 375 Fifth Street, Hollister

NOTICE TO PUBLIC

Persons who wish to address the City Council must complete a Speakers Card and give it to the Clerk prior to addressing the City Council. Those who wish to address the City Council on an agenda item will be heard when the presiding officer calls for comments from the audience. City related items not on the agenda will be heard under the Public Input section, Section B, of the agenda. Following recognition persons desiring to speak are requested to advance to the podium and state their name and address. After hearing audience comments, the public portion of the meeting will be closed and the matter brought to the City Council for discussion and action.

Requests to make presentations to the City Council should be submitted to the City Clerk's Office at least ten days preceding the City Council meeting. It is customary for the staff members to review such matters prior to formal presentation in order that the City Council may have the benefit of all available data.

All matters listed under Consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a staff member, or a citizen.

**** 6:00 p.m. - Closed Session -- See Attached Agenda.**

Call to Order

Pledge of Allegiance

Roll Call:

Mayor Pauline Valdivia, Council Members Brad Pike, Robert Scattini, Doug Emerson and Monica Johnson, City Manager Clint Quilter, City Attorney Elaine Cass, and City Clerk Geri Johnson.

Verification of Agenda Posting

6:00 p.m. - CLOSED SESSION AGENDA:

- A. Public comment (limited to any item listed on Closed Session agenda).
- B. A Closed Session will be held by the City Council of the City of Hollister to discuss all or some of the following matters:
 - 1. Conference with Legal Counsel - Anticipated Litigation - Significant Exposure to Litigation pursuant to Government Code Section 54956.9(b) - (3 potential cases will be discussed).
 - 2. Conference with Legal Counsel - Anticipated Litigation - Initiation of Litigation pursuant to Government Code Section 54956.9(c) - (2 potential cases will be discussed).
 - 3. Conference with Legal Counsel - Pending Litigation - Pursuant to Government Code Section 54956.9(a) –
 - a. RWQCB – Cease and Desist Order No. R3-2002-0105
 - b. City of Hollister v. Monterey Insurance Company, California Capital Insurance Company, Case Number M65916
 - c. Nicholson v. Hollister, Case No. CU-04-00063
 - d. Borges et al v. Hollister, Case No. CV030139
 - 4. Conference with Labor Negotiator pursuant to Government Code Section 54957.6:

Agency Negotiator: Clint Quilter

Employee Organizations: Service Employees International Union, Local 817; Hollister Firefighters Union, Local 3395; Hollister Peace Officers Association, Hollister Mid-Management Association; and un-represented employees in classifications designated as Executive Management and Confidential.

6:30 p.m. - AGENDA

A. CONSENT RESOLUTION (September 19, 2005):

All items listed under consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a Staff member, or a Citizen.

Consent Items are Numbers A1, A2, A3, A4, A5, A6, and A7.

- A1. Minutes of Special Meeting of August 29, 2005, and Regular Meeting of September 6, 2005.

Approve Minutes of the Special Meeting of August 29, 2005, and Regular Meeting of September 6, 2005, as submitted.

A2. Warrant Registers.

The City Council will ratify and approve the following Warrant Registers dated:

- September 2, 2005, in the amount of \$ 187,435.72
- September 9, 2005, in the amount of \$ 319,353.76

A3. Resolution No. 2005-135, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING TEMPORARY STREET CLOSURES FOR THE FOURTH ANNUAL HOLLISTER VETERANS DAY PARADE.

This Resolution will authorize the temporary closure of various streets for the Fourth Annual Hollister Veterans Day Parade to be held on November 11, 2005.

A4. Resolution No. 2005-136, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING AN AMENDMENT TO A LEASE AGREEMENT WITH MEGAN GUERRA (MAIN STREET BISTRO).

This Resolution will authorize the Mayor to execute a lease agreement with Megan Guerra for a portion of Brown Alley.

A5. ABC LICENSE REVIEW – BISTRO 427, AMENDED.

The City Council will acknowledge receipt of the ABC license review for an on-sale beer and wine license for Bistro 427 at 427 San Benito Street and order it filed.

A6. Resolution No. 2005-137, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING THE POLICE DEPARTMENT TO CHARGE A \$25.00 ADMINISTRATION FEE TO PROCESS THE CANCELLATION OF A CITATION FOR FAILURE TO DISPLAY A DISABLED PLACARD.

This Resolution authorizes the Police Department to Charge a \$25 Administrative Fee to Process the Cancellation of a Citation for Failure to Display a Disabled Placard.

A7. ABC LICENSE REVIEW – KRISTINAS MEXICAN RESTAURANT.

The City Council will acknowledge receipt of the ABC license review for an on-sale beer and wine license for Kristinas Mexican Restaurant at 480 Tres Pinos Road and order it filed.

B. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS:

1. PUBLIC INPUT.

This is the time for anyone in the audience to speak on any item not on the agenda and within the subject matter jurisdiction of the council. When the City Clerk calls your name, please come to the podium, state your name and address for the record, and speak to the Council. Each speaker will be limited to two (2) minutes. Please note that state law prohibits the council from discussing or taking action on any item not on the agenda.

C. PUBLIC HEARINGS (On or After 6:30 p.m.)

None

D. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:

1. Resolution No. 2005-138, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER AUTHORIZING EXECUTION OF AN AMENDMENT TO THE PROFESSIONAL SERVICES CONTRACT WITH GRASSETTI ENVIRONMENTAL CONSULTING FOR THE WEST OF FAIRVIEW SUBDIVISION.

This Resolution amends the professional services contract with Grasseti Environmental Consulting to perform supplemental biological studies and review for the West of Fairview Subdivision.

2. Resolution No. 2005-139, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER EXPRESSING OPPOSITION TO SENATE BILL 1504 KNOWN AS THE "BROADBAND INVESTMENT AND CONSUMER CHOICE ACT", URGING CONGRESSIONAL REPRESENTATIVES TO REFRAIN FROM ANY FORM OF SUPPORT OR CO-SPONSORSHIP OF S. 1504 AND TO VOTE IN OPPOSITION TO S. 1504.

This Resolution expresses Opposition to Senate Bill 1504 and urges Congressional Representatives to oppose Senate Bill 1504.

E. REPORTS OF CITY COUNCIL, OFFICERS, BOARDS, AND COMMITTEES:

1. Reports from City Council Committees.

Receive oral reports from members regarding the activities of various Ad hoc and Standing City Council Committees.

2. Reports from City Council, City Manager, City Attorney, and Staff.

Receive oral reports from the City Council, City Manager Quilter, City Attorney Cass, City Clerk Johnson, and other Staff as applicable.

3. Water and Wastewater Issues.

The City Council will receive an oral status report from City Manager Quilter.

5. Hollister Municipal Airport.

The City Council will receive an oral status report from Airport Manager Gere regarding the Hollister Municipal Airport.

F. UNFINISHED BUSINESS:

1. STUDY SESSION ON CITY AND REDEVELOPMENT AGENCY CAL CARD USAGE.

This Study Session will be conducted on the proposed usage of the "Cal Card" Credit Cards assigned to designated City and Redevelopment Agency Regular Employees.

G. NEW BUSINESS:

None.

H. MISCELLANEOUS:

None.

ADJOURNMENT:

Next Regular City Council Meeting is scheduled for October 3, 2005, at 6:30 p.m.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (831) 636-4304. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].